

## **REMARKS**

Claims 1-39 were pending and presented for examination and in this application. In and Advisory Action dated July 2, 2009 and an Office Action dated April 28, 2009, claims 1-9, 11-14, 16-18, 20-34 and 36-39 were rejected. Applicants thank the Examiner for examination of the claims pending in this application and address the Examiner's comments below. Based on the above Amendment and the following Remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections, and withdraw them.

### **Response to Rejection under 35 U.S.C. § 103(a)**

In the Office Action, the Examiner rejects claims 1 and 20 under 35 U.S.C. § 103(a) as being unpatentable over Aratani, U.S. Patent No. 7,260,828 in view of Hoda, U.S. Patent No. 4,831,610. The Examiner rejects claims 2-19 and 21-39 as being unpatentable over Aratani in view of Hoda in further view of Hoffberg, U.S. Patent No. 6,400, 996. This rejection is traversed in view of the amended claims.

Amended claim 1 recites a printer for generating media representations of a collection of media programs received from a media receiver, the printer comprising:

- a print drive interface, within the printer, that receives scheduling preferences comprising a media program;
- a control module, within the printer, that sets the media receiver to a channel that includes media program scheduling information;
- an extraction module, within the printer, that extracts, from the channel, scheduling information associated with the media program;
- a processing logic, within the printer, that generates a list of scheduled play times of the media program based on the extracted scheduling information;
- a print engine, within the printer, that prints the list of scheduled play times of the media program, the list comprising one or more user selectable barcodes for each play time of the media program, wherein each barcode is associated with an action that is performed

by the printer responsive to user selection of the barcode from the list; and  
a media transfer interface, within the printer, that permits communication between the printer and the media receiver, the media transfer interface being coupled to the media receiver.

These aspects of the claimed invention are not disclosed or suggested by Aratani. Specifically, Aratani does not disclose or suggest the claimed “printer” since Aratani fails to disclose or suggest a single apparatus that comprises the elements recited in the claimed invention, such as “a print engine, within the printer, that prints the list of scheduled play times of the media program, the list comprising one or more user selectable barcodes for each play time of the media program, wherein each barcode is associated with an action that is performed by the printer responsive to user selection of the barcode from the list.”

Aratani discloses a digital TV broadcast receiving apparatus. *See* Aratani, col. 3, ll. 2-4; Figure 1, element 100. Aratani’s apparatus receives electronic programming guide (EPG) data and a search is performed on the EPG data for a particular program designated by a user. *See* Aratani, col. 10, ll. 1-12. Once the program is located, Aratani discloses that an action code list is then printed. *See* Aratani, col. 10, ll. 31-34. The Examiner suggests that Aratani’s apparatus could be a corollary to the claimed “printer” and that the action code list could be a corollary to the “list of scheduled play times.” However, the Examiner’s assertion is inapplicable to claim 1 as currently amended.

As argued in the Amendment filed June 24, 2009 (“Amendment 6/24/09”), even assuming *arguendo* that the action code list could be considered the claimed “list of scheduled play times of the media program,” the action code list is still not **printed** by Aratani’s apparatus as claimed. Rather, Aratani discloses that the action code list is printed *by a printer that is externally connected to the apparatus via an IEEE1394 interface.* *See*

Aratani, col. 4, ll. 65-67 through col. 5, ll. 1-4; col., 10, ll. 26-34; Fig. 1. Thus, Aratani's apparatus does not comprise the necessary elements to print the action code list and instead relies on the *external* printer to print the action code list.

In the Advisory Action, the Examiner stated that the "Applicant's claim language does not specifically indicate how the printer engine (printing mechanics) and the processor of such printer (electronics comprising drivers, processors, etc) are connected. As such Aratani's disclosure, as shown in Fig. 1 (processor 100 and printer engine 202), reads on applicant's claim." See Advisory Action, p. 1. Applicants disagree with the Examiner's assertion. First, element 100 in Fig. 1 is not a processor as argued by the Examiner. Rather, Aratani explicitly states that element 100 is a digital TV broadcast receiving apparatus. See col. 3, ll. 1-4. Thus, Fig. 1 clearly illustrates that the apparatus is *separate* from the external printer rather than illustrating a processor in communication with a printer (i.e., the alleged printer) as asserted by the Examiner.

However, in the interest of furthering prosecution, claim 1 has been amended to recite that each element in the claim is "within the printer." Claim 1 currently recites a printer comprising "a print engine, within the printer, that prints the list of scheduled play times of the media program..." Thus, claim 1 now clearly recites that the print engine is within the printer along with the other elements recited in the claim. In contrast, as discussed above, Aratani discloses the printer is *external* to the apparatus. See Aratani, col. 4, ll. 65-67 through col. 5, ll. 1-4; col., 10, ll. 26-34; Fig. 1. Nor is the incorporation of Aratani's apparatus and printer into a single device trivial or obvious; a printer typically is thought of as a device for only printing documents, e.g., as is shown in the teachings of Aratani. In contrast, the claimed invention expands the printing functionality of the printer such that the

printer is capable of interacting and controlling a media receiver as recited in the claim. Thus, for at least this reason claim 1 is patentable in view of Aratani.

Hoda does not remedy the deficiencies of Aratani with respect to the “print engine” nor does the Examiner make this assertion. The Examiner merely applied Hoda to allegedly disclose other limitations recited in the claim. Thus, for at least this reason, claim 1 is patentably distinguishable over Aratani and Hoda, both alone and in combination.

However, there are additional basis upon which claim 1 is patentable over Aratani and Hoda. The combination of Aratani and Hoda do not disclose or suggest “the list of scheduled play times of the media program” because Aratani fails to teach that an action is performed **responsive to user selection** of the action code **from the list**. As noted by the Examiner, Aratani’s action code list comprises numeral codes as shown in Fig. 10. As argued in Amendment 6/24/09, Aratani states that each action code in the printed action code list is associated with an action function that is executed when the action code is input by the user via a 10 key pad in the remote control unit shown in FIG. 2. *See also* Aratani, col. 6, ll. 51-53. Thus, in Aratani when a user finds a program of interest in the printed action code list, an action function associated with the program is performed *responsive to the user selecting* an action code associated with the program of interest *by pressing a sequence of numbers on the 10 key pad that corresponds to the action code* for transmittal to the apparatus.

One of ordinary skill in the art would not have been able to simply replace Aratani’s action code with Hoda’s barcode, as asserted by the Examiner. Substitution of Aratani’s action code with Hoda’s barcode requires more than a mere substitution, and would take the cited aspects of the references well beyond their “established functions,” precluding the

“predictability” of such a combination of the references; Aratani does not disclose or suggest that the action codes are selected “**from the list**,” as claimed. *See KSR International Co. v. Teleflex Inc.*, 550 U.S. 398 (2007). Moreover, substituting Aratani’s action code with Hoda’s barcode impermissibly would render Aratani’s apparatus inoperable since Aratani does not include the necessary functionality to receive the selection of a barcode *from the action code list* as asserted by the Examiner. Aratani is only capable of receiving selection of an action code via direct input of the action code into a remote control unit. *See In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984); MPEP 2143.01 V.

Thus, for at least this reason, Aratani and Hoda both alone and in combination fail to disclose or suggest the claimed “list of scheduled play times of the media program.”

Thus, the cited references fail to show all of the claimed elements and therefore the Examiner has not met his burden in establishing a prima facie case of obviousness under 35 U.S.C. § 103(a). Claim 1 is patentably distinguishable over the cited references both alone and in combination.

Claim 20 has been amended to include similar limitations to those of claim 1. The Examiner rejected claim 20 for the same reasons set forth in the rejection of claim 1. Thus, all arguments advanced above with respect to claim 1 are hereby incorporated so as to apply to claim 20. Thus, claim 20 also is patentably distinguishable over the cited references both alone and in combination for the reasons discussed above.

The obviousness rejection of claims 2-9, 11-14, 16-18, 21-34, and 36-39 applied Aratani in various combinations with other references including Hoda and Hoffberg only for the dependent limitations in the claims. Hoffberg does not remedy the deficiencies of the cited references described above, nor does the Examiner argue that it does. Claims 2-9, 11-

14, 16-18, 21-34, and 36-39 incorporate the limitations of their respective base claims. Applicants submit that claims 2-9, 11-14, 16-18, 21-34, and 36-39 are allowable for at least the reasons described above, in addition to the further patentable limitations recited therein.

### **Conclusion**

In sum, Applicants respectfully submit that claims 1-9, 11-14, 16-18, 20-34, and 36-39 as presented herein, are patentably distinguishable over the cited references. Therefore, Applicants request reconsideration of the basis for the rejections to these claims and request allowance of them.

In addition, Applicants respectfully invite the Examiner to contact Applicants' representative at the number provided below if the Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,

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